

# HB 334 REPEATED SECTIONS

EXHIBIT

DATE

1/30/07

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time allowed for design and construction, the department's estimated cost of the project, the deadline for submitting a proposal, the selection criteria, and a copy of the contract.

(5) "Request for qualifications" means a part of the design-build criteria package that contains the desired minimum qualifications of the design-build contractor, a scope of work statement, the project requirements, the amount of reimbursement that the commission has determined will be paid to prospective design-build contractors who qualify for the short list but are not awarded a contract, and the selection criteria that the department will use in compiling the short list of prospective design-build contractors to consider.

History: En. Sec. 1, Ch. 192, L. 2003.

**60-2-135. Design-build contracting authorized — limit on projects — reporting requirement.** (1) Beginning on April 1, 2003, through December 31, 2008, the commission and the department are authorized to establish and implement a design-build contracting pilot program for highway construction.

(2) The total cost of projects that the commission and the department authorize under the design-build contracting pilot program may not exceed \$20 million.

(3) The department shall provide a report to the governor and the 61st legislature. The report must contain a benefit analysis of design-build contracting in comparison to the contracting process authorized in 60-2-111. The department shall also report to the governor and the revenue and transportation interim committee, upon request, to provide updates on the design-build contracting pilot program.

History: En. Sec. 2, Ch. 192, L. 2003.

**60-2-136. Design-build contracting board — duties.** (1) The director shall appoint a design-build contracting board. The duties of the board include but are not limited to:

(a) establishing the criteria by which eligible projects are selected for a design-build contract;

(b) assisting the department in making recommendations to the commission regarding the terms, conditions, and processes by which a design-build contract is advertised, proposals are evaluated and selected, and contracts are entered into and executed; and

(c) providing a review of the costs and benefits of design-build contracting that will be included in a report to the 2009 legislature.

(2) The design-build contracting board consists of the following members:

(a) a representative of an association of the highway construction industry in Montana;

(b) a representative of an association of the highway design and engineering industry doing business in Montana;

(c) a representative of the Montana office of the federal highway administration;

(d) two representatives of the department;

(e) a representative of the bonding and surety industry authorized to operate in Montana; and

(f) the director, who serves as presiding officer of the board.

History: En. Sec. 3, Ch. 192, L. 2003; amd. Sec. 1, Ch. 113, L. 2005.

## Compiler's Comments

2005 Amendment: Chapter 113 in (2)(a) and (2)(b) at beginning substituted "a representative of an association" for "two representatives". Amendment effective October 1, 2005.

**60-2-137. Design-build contracting process — submission of proposals — department's duties.** (1) In accordance with recommendations of the design-build contracting board, once the department has identified a project for which the design-build contracting process will be used, the department shall prepare and advertise a request for qualifications.

(2) From the responders to the request for qualifications, the department shall prepare a short list of the responders that it believes are most qualified, not to exceed five responders on any single project.